

FILED
IN CLERKS OFFICE

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

2005 FEB -8 P 12:50

IN RE: PHARMACEUTICAL INDUSTRY AVERAGE
WHOLESALE PRICE LITIGATION

U.S. DISTRICT COURT
DISTRICT OF MASS.
MDL No. 01-12257-PBS
C.A. No. 01-12257-PBS

THIS DOCUMENT RELATES TO:
ALL ACTIONS

Judge Patti B. Saris

MOTION FOR ADMISSION OF DONALD E. HAVILAND, JR. PRO HAC VICE

Petitioner, Donald E. Haviland, Jr., Esquire of the law firm of Kline & Specter, a Professional Corporation, by and through the undersigned counsel, Fisette & Ranta, respectfully requests that Donald E. Haviland, Jr., be admitted to practice before the United States District Court for the District of Massachusetts, pursuant to LR, D.Mass. 83.5.3, for the limited purpose of representing the Intervening Plaintiff, The Commonwealth of Pennsylvania, in support of its Motion to Intervene and avers as follows:

1. Petitioner, Donald E. Haviland, Jr., Esquire, represents the Commonwealth of Pennsylvania, which has moved to intervene in the above-captioned action for the limited purpose of objecting to the certification of a Class which would purportedly include the Commonwealth.

2. The Commonwealth of Pennsylvania desires that Mr. Haviland be admitted and allowed to represent it in connection with its intervention.

3. Petitioner, Donald E. Haviland, Jr., Esquire, also is outside counsel for the Office of the Attorney General for the Commonwealth of Pennsylvania in the matter of *Commonwealth of Pennsylvania by Gerald J. Pappert, et al v. TAP Pharmaceutical Products, Inc., et al*; Docket No. 212 MD 2004 (Commonwealth Court of Pa.).

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4. Mr. Haviland has been admitted to practice before this Court *pro hac vice* in *In re: Lupron Marketing and Sales Practices Litig.*, MDL 1430 (D. Mass.), also for a limited purpose.

5. As stated in Mr. Haviland's Affidavit attached hereto, he is a member of good standing of the bar of the States of Pennsylvania and New Jersey, as well as the United States District Court for the Eastern District of Pennsylvania, State of New Jersey, United States District Court for the District of New Jersey, and United States District Court for the Eastern District of Wisconsin. Further, there are no disciplinary actions pending against Mr. Haviland in any jurisdiction

6. Mr. Haviland is familiar with the Local Rules of the United States District Court for the District of Massachusetts, and agrees to abide by them.

WHEREFORE, the undersigned counsel respectfully moves Mr. Haviland's admission to this Court, pursuant to LR, D.Mass. 83.5.3, for the limited purpose of representing the Intervening Plaintiff, the Commonwealth of Pennsylvania.

Dated: February 8, 2005

Respectfully submitted,



Ronald Ranta, Esquire

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